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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,792	08/21/2003	Seungsoo Lee	JOY WORLD 3.0-021	8033

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06/23/2005

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EXAMINER

NEGRON, ISMAEL

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	10/645,792	LEE, SEUNGSOO	
	Examiner	Art Unit	
	Ismael Negron	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10 is/are rejected.
- 7) ☒ Claim(s) 6-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/9/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Title

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: **Illuminated Support Device for Food Items.**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over MAKOWSKY (U.S. Pat. 5,119,279).
3. MAKOWSKY discloses an illuminated device having:
 - **a case (as recited in Claim 1)**, Figure 2, reference number 14;
 - **the case having a plurality of openings (as recited in Claim 1)**, as seen in Figure 3;
 - **a plurality of light units (as recited in Claim 1)**, Figure 3, reference number 16;

- **the light units being mounted in the case (as recited in Claim 1), as seen in Figure 2;**
- **each of the light units having a portion extending outwardly through a corresponding one of the openings (as recited in Claim 1), Figure 3, reference number 44;**
- **at least one electrical wiring, inherent;**
- **the electrical wiring including a plurality of conductive paths (as recited in Claim 1), Figure 3, reference numbers 46 and 48;**
- **each of the light units being attached to the electrical wiring (as recited in Claim 1), column 5, lines 18-20;**
- **the light units being connected to a corresponding pair of the conductive paths of the electrical wiring (as recited in Claim 1), column 5, lines 18-20;**
- **a printed circuit board (as recited in Claim 1), Figure 3, reference number 42;**
- **the circuit board being mounted in the case (as recited in Claim 1), as seen in figures 2 and 3;**
- **the circuit board including controlling means (as recited in Claim 1), column 5, lines 20-25;**
- **the controlling means being for controlling the operation of the light units (as recited in Claim 1), column 5, lines 20-25;**

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- **the electrical wiring being attached to the board (as recited in Claim 1), column 5, lines 20-22;**
- **the controlling means being electrically connected to the conductive paths of the electrical wiring (as recited in Claim 1), column 5, lines 22-25;**
- **the electrical wiring being a component separate from the circuit board (as recited in Claim 2), as seen in Figure 3;**
- **the board including a plurality of conductive paths (as recited in Claim 2), inherent;**
- **the conductive path of the board being connected to the controlling means (as recited in Claim 2), column 5, lines 22-25;**
- **each of the conductive paths of the electrical wiring being connected to a corresponding one of the conductive paths of the circuit board (as recited in Claim 2), inherent;**
- **the connection between the conductive paths being at an interface between the electrical wiring and the board (as recited in Claim 2), inherent;**
- **the case including a substantially horizontal surface (as recited in Claim 3), Figure 2, reference number 34;**
- **the horizontal surface being for supporting an article (as recited in Claim 3), as seen in Figure 2;**

- **the circuit board being oriented substantially parallel to the horizontal surface (as recited in Claim 3), as seen in Figure 2;**
- **the electrical wiring projecting substantially vertically from the circuit board (as recited in Claim 3), as evidenced by Figure 2;**
- **each of the light units being permanently attached to the electrical wiring (as recited in Claim 3), as evidenced by column 5, lines 18-20;**
- **the case having a substantially circular side wall (as recited in Claim 4), Figure 2, reference number 32;**
- **the side wall depending from the horizontal surface (as recited in Claim 4), column 4, lines 52-54;**
- **the openings being formed in the side wall (as recited in Claim 4), as seen in Figure 2;**
- **the electrical wiring being bent into an arcuate shape (as recited in Claim 4), as seen in Figure 3;**
- **the electrical wiring being positioned radially inwardly from and adjacent to the side wall (as recited in Claim 4), as seen in Figure 3;**
- **the light units projecting outwardly from the electrical wiring through a corresponding one of said openings (as recited in Claim 4), as seen in Figure 3;**

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- **maintaining means (as recited in Claim 5), inherent, as evidenced by Figure 3;**
- **the maintaining means being for maintaining the arcuate shape of the electrical wiring in the case (as recited in Claim 5), inherent, as evidenced by Figure 3;**
- **the at least one strip includes first and second strips (as recited in Claim 10), inherent as evidenced by column 5, lines 28-57;**
- **both of the strips being attached to the circuit board (as recited in Claim 10), inherent;**
- **both of the strips being bent into a substantially semi-circular shape (as recited in Claim 10), as evidenced by Figure 3;**
- **both of the strips being positioned in the case (as recited in Claim 10), as evidenced by Figure 3; and**
- **the strips being arranged with respect to one another such that the light units are arranged in a substantially circular fashion (as recited in Claim 10), as evidenced by Figure 3.**

4. MAKOWSKY discloses all the limitations of the claims, except at least one strip (as recited in Claim 1), with each of the light units being permanently attached to a vertical side of the strip (as recited in Claim 3).

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5. It would have been an obvious to one having ordinary skill in the art at the time the invention was made to substitute the electrical wiring of MAKOWSKY for a printed circuit strip since such wiring and strips are recognized in the art as being equivalents structures. Selection of one these known equivalents over the other would have flown naturally to one of ordinary skill in the art as required by the specific needs of a particular application.

Relevant Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nichols et al. (U.S. Pat. 4,803,604), **Krenn** (U.S. Pat. 5,355,289), **Saunders** (U.S. Pat. 5,430,628), **Sanford, Jr.** (U.S. Pat. 5,879,071) and **Montanino** (U.S. Pat. 6,152,575) disclose illuminated trays having a plurality of light sources disposed around the periphery of such trays, and including means for providing different illumination patterns.

Szentveri (U.S. Pat. 3,500,036), **Morse et al.** (U.S. Pat. 4,523,258), **Moates** (U.S. Pat. 5,321,593), **Guritz** (U.S. Pat. 5,375,044), **Klinke et al.** (U.S. Pat. 5,404,282) and **Atchinson et al.** (U.S. Pat. 6,371,637) disclose illumination devices having a plurality of light sources interconnected with circuit strips.

Allowable Subject Matter

7. Claims 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter:

Applicant teaches a device for supporting an article, such device having a case with a plurality of circuit strip supported light sources disposed around a substantially circular sidewall. A printed circuit board (PCB) including means for controlling the illumination of the light sources, is also located inside the case. A plurality of support bars are mounted in the case for engaging and supporting the circuit strip against the sidewall. In a second embodiment, the strip is attached to the PCB by means of a plurality of teeth, such teeth coupling a matching plurality of holes in the PCB. The holes being arranged in a linear fashion to inhibit bending of the end of the strip. A third embodiment includes guiding means for positioning the light sources into openings of the sidewall, the guiding means including a plurality of members with the openings being positioned between a corresponding pair of guiding members.


No prior art was found teaching individually, or suggesting in combination, all of the features of the applicants' invention, specifically the circuit strip supporting structure, the strip/PCB connecting structure, or the guiding means, in combination with the claimed illumination device structure.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (571) 272-2376. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (571) 272-2378. The facsimile machine number for the Art Group is (703) 872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications maybe obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.


THOMAS M. SENDER
PRIMARY EXAMINER


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June 21, 2005